

30. (original) The gaming system in accordance with Claim 29 wherein said gaming machine is configured to present said game having an outcome which is independent of said accepted voucher.

31. (original) The gaming system in accordance with Claim 29 wherein said gaming machine is configured to reduce said number of credits based upon said wager.

32. (original) The gaming system in accordance with Claim 29 wherein said voucher has no value independent of said associated credits.

#### ***REMARKS***

The Applicants respectfully request reconsideration of the objections and rejections set forth in the Office Action dated December 23, 2003.

#### ***The Rejection under 35 U.S.C §102(b):***

The Examiner has rejected claims 24-32 under 35 USC §102(b) as being anticipated by Clapper, Jr.. In view of the above-indicated amended claims and the forgoing remarks, the Applicants respectfully disagree.

Briefly, as amended, Claim 24 now recites a method of gaming play on a conventional gaming machine, configured for conventional gaming thereon, utilizing a voucher. The method includes generating data regarding a voucher to be printed, the data including a value representative of a number of credits redeemable for play of at least one game on the gaming machine. The method further includes creating a data record regarding the voucher; storing the data record at a host remote from the gaming machine; issuing the

voucher at a location remote from the gaming machine and the host; and accepting the voucher at the gaming machine for the redeemable play. The method in accordance with the present invention includes transmitting information from the gaming machine to the host regarding the identity of the voucher; and comparing at the host the transmitted information and the data in the data record to verify the voucher. If the voucher is verified, crediting the number of credits which the voucher represents for use at the gaming machine. Next the method includes accepting one or more of the credits as a wager for the redeemable play of a game presented by the gaming machine; and debiting a number of credits from the credited number of credits based upon the number of credits used to place the wager. Finally, the method of gaming play includes presenting gaming play of the game on the gaming machine upon placing of the wager from the voucher wherein depending upon one of a winning outcome and a losing outcome of the game, adding and subtracting credits from the credited number of credits, respectively.

Accordingly, a gaming system and method of gaming play are disclosed enabling a voucher printed from a remote voucher generating device to be redeemed for credit play of at least one game on a conventional gaming machine. The voucher itself includes voucher information that is verified by a remote host device that itself includes respective voucher information for comparative analysis for verification. Thus, the value attained from the voucher may be directly applied toward a wager of on a game of the gaming device. Depending upon a winning outcome or a losing outcome, credits are added or subtracted from the credited number of credits issued from the voucher.

Clapper, Jr., on the other hand, discloses an electronic and mechanical device that generates a combination voucher ticket and game ticket, and in some embodiments is capable of displaying a "promotional sweepstakes game" for which the game ticket applies. The Applicant submits, however, that the device 10 of Clapper, Jr. is not a conventional gaming

machine capable of conventional gaming, such as for instance, adapted to accept a wager and commence random play where the credits are either added or subtracted from the credited number of credits, depending upon a losing or winning game. Rather, the device 10 of Clapper merely displays the predetermined outcome of the bar coded information pre-printed on the game ticket (See col. 14, line 5 through col. 15, line 9), and is not a standalone gaming device that renders conventional gaming.

Moreover, the voucher ticket is not in any manner associated with the play of the promotional sweepstake game of the game ticket, and especially cannot add wager credit for gaming on the device 10, as the present invention suggests. Reiterating the distinguishing features set forth by the Applicant's previous counsel, Clapper, Jr. teaches a combination voucher and game ticket in which game intermixing is not implied, suggested or mentioned. In fact, throughout the disclosure of Clapper, Jr., it is rather clear and apparent that the features of the two tickets portions are separate and apart from one another in use and function.

The Applicants submit, however, that the Examiner, while agreeing that Clapper, Jr. teaches a "voucher and game ticket combination", has intermixed the game ticket features with those of the voucher ticket attributes. For example, the Examiner indicates on pages 2-4 of Paper No. 12 that Clapper, Jr. teaches the steps of (1) generating voucher data including a value representative of a number of credits usable at a gaming machine; (2) crediting the number of credits which the voucher represents for use at a gaming machine; and (3) accepting one or more of the credits as a wager for play of a game at a gaming machine. The Examiner indicates that these steps are taught by Clapper, Jr. where Clapper, Jr. associates phone minutes with his voucher.

The Applicants respectfully disagree, and fail to understand what exactly is "usable" or "redeemable" for play of the game on the gaming machine itself since the voucher ticket

features relates to pre-paid phone card minutes? The Applicants submit that these voucher services and/or goods features are NOT related to the game ticket portion of Clapper, Jr., other than the fact that upon purchase of the voucher, the patron is automatically entered into promotional sweepstake game. Moreover, in the game play of Clapper, Jr. neither the voucher ticket portion nor the game ticket portion both add and subtract credits from the from the credited number of credits, depending upon the outcome of the promotional sweepstakes game, as the present invention suggests.

As indicated previously, Clapper, Jr., teaches issuing vouchers from a roll or strip 30. (Clapper, Jr., Col. 10, lines 9-12). The roll or strip is pre-printed with voucher indicia 52, such as phone card information. (Clapper, Jr., Col. 10, lines 45-55). The roll or strip also bears second or "game" indicia 50. (Clapper, Jr., Col. 10, lines 56-60). Thus, the invention of Clapper, Jr. is a combination voucher and game ticket.

Notably, Clapper, Jr.'s voucher and game ticket portions have entirely different characteristics and uses. The voucher has associated value, such as phone minutes, which the user may utilized to acquire goods and services. (Clapper, Jr., Col. 5, lines 8-12). This portion of the voucher is not used as a game ticket.

As disclosed by Clapper, Jr., the voucher also has a second or game ticket portion. The game ticket portion provides the opportunity to the purchaser of the voucher to play a game, that may or may not be displayed on the display device. Clapper, Jr., discloses that when the voucher is issued, the player may examine the game indicia to determine if they are winner of the promotion (Clapper, Jr., Col. 6, lines 16-20). The game ticket portion does not have associated credits. The player does not use credits to play the game, and credits are not added and subtracted from the credited number of credits, depending upon one of a winning outcome and a losing outcome of the promotional sweepstakes game respectively. Rather,

the game ticket is pre-printed with game indicia and the player is automatically allowed to play the game using those indicia.

The Applicants reiterate that the value of Clapper, Jr.'s voucher (such as phone minutes) has no association with the game ticket portion, as the present invention suggests. The phone minutes are NOT, as the Examiner asserts, used in any manner to play a game, but rather are applied. Further, when the game ticket is used in Clapper, Jr., minutes are not deducted from the total number of minutes associates with the phone card.

Thus, in Clapper, Jr., the value associated with the voucher is not used to play a game, and the game ticket portion does not have associated credits for use in playing a game. Applicants once again assert that this is a fundamental difference between Clapper, Jr. and the present invention, as amended. In Clapper, Jr., the game ticket is just a promotional ticket having pre-printed game indicia (and predetermined winners) thereon. In the present invention, a voucher represents value which can be used to play a conventional game at a conventional gaming machine by placing a wager from represented value. These concepts are entirely different.

Withdrawal of the §102(b) rejection with respect to claim 24-32 is therefore respectfully requested.

### ***Conclusion***

In light of the above amendments and remarks, the Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. It is believed that all claims now pending and all Previously Presented claims fully and patently define the subject invention over the cited art of record and are in condition for allowance.

If the Examiner has any questions concerning this case, the Examiner is respectfully requested to contact Michael L. Louie at (510) 843-6200.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 50-0388 (Order No. IGT1P120).

Respectfully submitted,  
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